



Ordinary Meeting of Council Minutes

*Corrected by resolution of Council on Tuesday 6 May 2014

**held on Tuesday 29 April 2014 at 7.00 pm
Richmond Town Hall**

www.yarracity.vic.gov.au

1. Statement of Recognition of Wurundjeri Land

“Welcome to the City of Yarra. Council acknowledges the Wurundjeri community as the first owners of this country. Today, they are still the custodians of the cultural heritage of this land. Further to this, Council acknowledges there are other Aboriginal and Torres Strait Islander people who have lived, worked and contributed to the cultural heritage of Yarra.”

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

- Cr Jackie Fristacky (Mayor)
- Cr Geoff Barbour
- Cr Roberto Colanzi
- Cr Misha Coleman
- Cr Sam Gaylard
- Cr Simon Huggins
- Cr Stephen Jolly
- Cr Amanda Stone
- Cr Phillip Vlahogiannis

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Jack Crawford (Director Corporate and Financial Services)
- Ivan Gilbert (Executive Manager Governance)
- Craig Kenny (Director Community Programs)
- Bruce Phillips (Director City Development)
- Guy Wilson-Browne (Director Infrastructure Services)
- Margaret Elvey (Governance Officer)
- Mel Nikou (Governance Officer)

3. Declarations of conflict of interest (Councillors and staff)

Councillor Phillip Vlahogiannis declared a conflict of interest on item 11.1 Residential Zones – Consideration of Submissions and Adoption, on the basis of indirect interest by close association arising from an interest held by a family member in a property which will be the subject of an amendment to the proposed zoning.

Councillor Vlahogiannis advised that he has written to the Chief Executive Officer, providing details of the conflict of interest in accordance with the *Local Government Act 1989*.

4. Confidential business reports

Item

- 4.1 Contractual matters

5. Confirmation of minutes

The minutes of the Ordinary Council Meeting held on Tuesday 8 April and the Special Council Meeting held on Tuesday 22 April, were not confirmed as it will be determined at the next Ordinary Council Meeting.

6. Petitions and joint letters

Item	Page	Rec. Page
6.1 Stafford Street Abbotsford – Residential Zone	6	-

7. Public question time

Not considered, deferred to the next meeting.

8. General business

Not considered, deferred to the next meeting.

9. Delegates' reports

Not considered, deferred to the next meeting.

10. Questions without notice

Not considered, deferred to the next meeting.

11. Council business reports

Item		Page	Rec. Page
11.1	New Residential Zones - Consideration of Submissions and Adoption	7	16
11.2	Victoria Gardens Richmond - Construction of New Tram Terminus	19	19

12. Notices of motion

Item		Page	Rec. Page
12.1	Notice of Motion No 4 of 2014 - Council to Sign Public Transport User Association Open Letter	20	20

13. Urgent business

Item		Page	Rec. Page
13.1	Repeal of Sections 18B, C, D and E of the Racial Discrimination Act 1975	21	21
13.2	Draft Yarra Waste Strategy 2014 - 2018	22	22

4. Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the *Local Government Act 1989*. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

COUNCIL RESOLUTION

Moved: Councillor Huggins

Seconded: Councillor Vlahogiannis

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act 1989*, to allow consideration of Contractual Matters.
2. That all information contained within the Confidential Business Reports section of this agenda and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act 1989* until Council resolves otherwise.

CARRIED

Following consideration of Confidential business, the meeting resumed in open session.

6. Petitions and joint letters

6.1 Stafford Street Abbotsford – Residential Zone

A petition containing 49 signatures was received from residents of Stafford Street Abbotsford requesting that the area stay as a Neighbourhood Residential Zone (NRZ) and not be rezoned as a General Residential Zone (GRZ) as proposed in the new planning scheme.

Residents believe that Stafford Street is identical in neighbourhood character and heritage value as the rest of the neighbourhood in the Charles Street Residential Overlay Precinct, that have been granted NRZ.

Residents of Stafford Street would like the same residential status as Charles Street Residential Precinct and the streets immediately to the east of Nicholson Street, that have been granted NRZ, in spite of the absence of a heritage overlay.

Mr Raymond Endean presented Council with a petition while he made a submission on item 11.1 New Residential Zones – Consideration of Submissions and Adoption.

The petition will be referred to the appropriate officer for action.

7. Public question time

Not considered, deferred to the next meeting.

8. General business

Not considered, deferred to the next meeting.

9. Delegates' reports

Not considered, deferred to the next meeting.

10. Questions without notice

Not considered, deferred to the next meeting.

11.1 New Residential Zones - Consideration of Submissions and Adoption

Trim Record Number: D14/74170

Responsible Officer: Director City Development

RECOMMENDATION

1. That Council resolve to endorse the introduction of the Victorian Government's new residential zones as exhibited but subject to the following changes:
 - (a) modification of the NRZ1 and NRZ2 schedule to reduce the maximum mandatory height limit from 9m to 8m;
 - (b) inclusion of the following properties in the GRZ (revised schedule 1 – warehouse sites, mandatory 10.5m maximum height):
 - (i) 124-132 Napier Street Fitzroy;
 - (ii) 27-31 Gibdon Street Burnley;
 - (iii) 180A Lennox Street, Richmond;
 - (iv) 285 Lennox Street, Richmond;
 - (v) 430 Rae Street, North Fitzroy; and
 - (vi) 274-280 Fitzroy Street, Fitzroy;
 - (c) inclusion of the sites identified in the Council report that are over 2,500sqm in area in the GRZ (revised schedule 2 – 9m mandatory maximum height);
 - (d) amend the sliding density scale in the NRZ 1 to include sites up to 2,500sqm in area as per the Council report;
 - (e) include the Office of Housing sites over 2,500sqm in area in a GRZ (revised schedule 3 – discretionary 9m height);
 - (f) include 20 Coate Avenue, Alphington within a NRZ (proposed schedule 4 – 8m mandatory maximum height and maximum 10 dwellings);
 - (g) include 11 Goodwood Street, Richmond within an NRZ 1;
 - (h) include both Epworth Hospital sites in the GRZ (revised schedule 3 – discretionary 9m height) as an interim step towards the main hospital site being rezoned to a Special Use Zone;
 - (i) amend the zones to rectify the minor mapping anomalies that have been identified during consultation on the zones; and
 - (j) endorse application of the General Residential Zone (revised schedule 3 – discretionary 9m height) for the proposed Residential Growth Zone areas in the interim and pending consideration of the RGZ by the RZSAC.
2. That Council, in addition:
 - (a) refer application of the proposed Residential Growth Zone (RGZ) for the sites identified in the Council report, to the Residential Zones Standing Advisory Committee (RZSAC) for consideration;
 - (b) request that the Minister for Planning prepare and approve an amendment to the Yarra Planning Scheme (Amendment C176) to introduce the new planning provisions as per the Council report, pursuant to Section 20 (4) of the *Planning and Environment Act 1987*;
 - (c) provide the CEO with authorisation to make changes to the planning provisions attached to this report and proposed as a part of Amendment C176 where necessary in order to facilitate the introduction of the new residential zones into the Yarra Planning Scheme;

- (d) commence a heritage gap study in July 2014 to identify places of heritage significance within the area generally bounded by Bridge Road, Swan Street, Church Street and the Yarra River;
 - (e) commence a review of existing heritage precincts (including a review of existing citations and boundaries) beginning with heritage precincts in Abbotsford and Collingwood; and
 - (f) write to all submitters and owners and occupiers of sites in the proposed RGZ and 2500sqm sites advising them of Council's decision.
3. That Council further advise the Minister for Planning that in respect to the nominated 'urban renewal' areas of Cremorne and the Gipps Street precinct contained in the draft Plan Melbourne strategic document that:
- (a) Council is prepared to work in a joint manner with the Metropolitan Planning Authority to analyse the Gipps Street precinct with a view of what opportunities could arise in that location for consolidating the employment base as part of the urban renewal process; and
 - (b) Council adopted in December 2013 the Swan Street Structure Plan which embraces not only Cremorne area but all of the area along Swan Street to the river and also the hinterland on the north side of Swan Street, and in this regard, note that it provides for substantial increase in both housing stock and also commercial floorspace. In this context Council is also prepared to work with the Metropolitan Planning Authority to accelerate progress on the key strategic redevelopment sites for an expeditious process to see these redevelopment opportunities come to fruition as soon as possible.
4. That Council further resolve to work with the Epworth hospital for a rezoning of the main hospital site between Bridge Road and Erin Street to a Special Use Zone with appropriate provisions to formalise its use as a major hospital site in Metropolitan Melbourne and to receive a further report on the appropriate provisions with a view towards a Section 20 (4) amendment to the Yarra Planning Scheme.

Councillor Vlahogiannis declared a conflict of interest in this item and left the meeting at 7.04 pm.

Councillor Jolly left the meeting at 7.16 pm

Councillor Jolly returned to the meeting at 7.20 pm

FORESHADOWED MOTION

Moved: Councillor Jolly

Seconded: Councillor Coleman

1. That Council resolve to endorse the introduction of the Victorian Government's new residential zones as exhibited but subject to the following changes:
- (a) modification of the NRZ1 and NRZ2 schedule to reduce the maximum mandatory height limit from 9m to 8m;
 - (b) inclusion of the following properties in the GRZ (revised schedule 1 – warehouse sites, mandatory 10.5m maximum height):
 - (i) 124-132 Napier Street Fitzroy;
 - (ii) 27-31 Gibdon Street Burnley;
 - (iii) 180A Lennox Street, Richmond;
 - (iv) 285 Lennox Street, Richmond;
 - (v) 430 Rae Street, North Fitzroy;

- (vi) 274-280 Fitzroy Street, Fitzroy;
 - (c) inclusion of the sites identified in the Council report that are over 2,500sqm in area in the GRZ (revised schedule 2 – 9m mandatory maximum height);
 - (d) amend the sliding density scale in the NRZ 1 to include sites up to 2,500sqm in area as per the Council report;
 - (e) include the Office of Housing sites over 2,500sqm in area in a GRZ (revised schedule 3 – discretionary 9m height);
 - (f) include 20 Coate Avenue, Alphington within a NRZ (proposed schedule 4 – 8m mandatory maximum height and maximum 10 dwellings);
 - (g) include 11 Goodwood Street, Richmond within an NRZ 1;
 - (h) include both Epworth Hospital sites in the GRZ (revised schedule 3 – discretionary 9m height) as an interim step towards the main hospital site being rezoned to a Special Use Zone;
 - (i) amend the zones to rectify the minor mapping anomalies that have been identified during consultation on the zones;
 - (j) endorse application of the General Residential Zone (revised schedule 3 – discretionary 9m height) for the proposed Residential Growth Zone areas in the interim and pending consideration of the RGZ by the RZSAC;
2. That Council, in addition:
- (a) refer application of the proposed Residential Growth Zone (RGZ) for the sites identified in the Council report, to the Residential Zones Standing Advisory Committee (RZSAC) for consideration;
 - (b) request that the Minister for Planning prepare and approve an amendment to the Yarra Planning Scheme (Amendment C176) to introduce the new planning provisions as per the Council report, pursuant to Section 20 (4) of the *Planning and Environment Act 1987*;
 - (c) provide the CEO with authorisation to make changes to the planning provisions attached to this report and proposed as a part of Amendment C176 where necessary in order to facilitate the introduction of the new residential zones into the Yarra Planning Scheme;
 - (d) commence a heritage gap study in July 2014 to identify places of heritage significance within the area generally bounded by Bridge Road, Swan Street, Church Street and the Yarra River;
 - (e) commence a review of existing heritage precincts (including a review of existing citations and boundaries) beginning with heritage precincts in Abbotsford and Collingwood; and
 - (f) write to all submitters and owners and occupiers of sites in the proposed RGZ and 2500sqm sites advising them of Council's decision.
3. That Council further advise the Minister for Planning that in respect to the nominated 'urban renewal' areas of Cremorne and the Gipps Street precinct contained in the draft Plan Melbourne strategic document that:
- (a) Council is prepared to work in a joint manner with the Metropolitan Planning Authority to analyse the Gipps Street precinct with a view of what opportunities could arise in that location for consolidating the employment base as part of the urban renewal process; and
 - (b) Council adopted in December 2013 the Swan Street Structure Plan which embraces not only Cremorne area but all of the area along Swan Street to the river and also the hinterland on the north side of Swan Street, and in this regard, note that it provides for substantial increase in both housing stock and also commercial floorspace. In this

context Council is also prepared to work with the Metropolitan Planning Authority to accelerate progress on the key strategic redevelopment sites for an expeditious process to see these redevelopment opportunities come to fruition as soon as possible.

4. That Council further resolve to work with the Epworth hospital for a rezoning of the main hospital site between Bridge Road and Erin Street to a Special Use Zone with appropriate provisions to formalise its use as a major hospital site in Metropolitan Melbourne and to receive a further report on the appropriate provisions with a view towards a Section 20 (4) amendment to the Yarra Planning Scheme.

5. That Council, reflecting on the considerably higher level of development that has already taken place in Richmond relative to both Yarra and nearby Councils, and in an endeavour to provide a fairer distribution of General Residential Zone across Yarra, and to maintain a theme of:
 - (a) liveability in Richmond;
 - (b) a more equitable application of the new residential zones across the municipality; and
 - (c) limiting the number of dwellings that may be built on plots between 0-150m²; anddetermine to include the General Residential Zone areas in Richmond (generally bounded by Church Street, Bridge Road, Swan Street and the Yarra River, excluding the potential RGZ areas along Burnley Street), in a Neighbourhood Residential Zone (new schedule 4) area with a maximum mandatory height limit of 8m and an amended sliding density scale commencing with 1 dwelling on a site of up to 150sqm and scaling up in 150sqm increments (up to sites of 2500sqm) in accordance with the following table:

<u>No of Dwellings Permitted</u>	<u>Land Size</u>
<u>one</u>	<u>0 - 150 m²</u>
<u>two</u>	<u>151 – 300m²</u>
<u>three</u>	<u>301 – 450m²</u>
<u>four</u>	<u>451 – 600m²</u>
<u>Plus one additional dwelling</u>	<u>For each additional 150m² up to a maximum of 2,500m²</u>

Public Submissions

The following people addressed Council regarding this matter:

- Ms Katrina Rickards;*
- Mr Richard Wynne – Member of Parliament;*
- Associate Professor Rod Duncan;*
- Mr Matthew Chapman;*
- Ms Gregoria Todaro;*
- Ms Yvonne Nicholas;*
- Ms Pnina Taylor;*
- Mr Jeanne Lee;*
- Associate Professor Robert Nelson;*
- Mr Michael Wright;*
- Mr Rob Weisz;*
- Mr Raymond Endean (tabled Stafford Street Petition);*
- Mr Alan Kinkade – CEO Epworth Health Care;*
- Dr Sharon Harrison – Richmond Residential Rezoning Residents Group;*
- Ms Leanne O'Brien;*

*Ms Margaret O'Brien;
Mr Robin McCallan;
Mr Tom Keel – Fitzroy Residents' Association
Mr Bill Tsoumbanos;
Mr Robert Erlenwein;
Mr Alan Coyne;
Ms Janet Taylor; and
Mr Andris Blums.*

*Councillor Gaylard left the meeting at 9.15 pm
Councillor Gaylard returned to the meeting at 9.16 pm*

*Councillor Huggins left the meeting at 9.24 pm
Councillor Huggins returned to the meeting at 9.27 pm*

*Councillor Huggins left the meeting at 10.15 pm
Councillor Huggins returned to the meeting at 10.18 pm*

*Councillor Jolly left the meeting at 10.18 pm
Councillor Jolly returned to the meeting at 10.22 pm*

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Huggins **Seconded:** Councillor Jolly

That the meeting be extended.

CARRIED

COUNCIL MOTION

Moved: Councillor Barbour **Seconded:** Councillor Colanzi

1. That Council resolve to endorse the introduction of the Victorian Government's new residential zones as exhibited but subject to the following changes:
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- (e) include the Office of Housing sites over 2,500sqm in area in a GRZ (revised schedule 3 – discretionary 9m height);
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2. That Council, in addition:
- (a) refer application of the proposed Residential Growth Zone (RGZ) for the sites identified in the Council report, to the Residential Zones Standing Advisory Committee (RZSAC) for consideration to enable consultation with landowners, occupiers and neighbours of these sites;
 - (b) request that the Minister for Planning prepare and approve an amendment to the Yarra Planning Scheme (Amendment C176) to introduce the new planning provisions as per the Council report, pursuant to Section 20 (4) of the *Planning and Environment Act 1987*;
 - (c) provide the CEO with authorisation to make changes to the planning provisions attached to this report and proposed as a part of Amendment C176 where necessary in order to facilitate the introduction of the new residential zones into the Yarra Planning Scheme;
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 - (f) write to all submitters and owners and occupiers of sites in the proposed RGZ and 2500sqm sites advising them of Council's decision.
 - (g) to reaffirm the allocation of \$75,000 to carry out 2 (d) and (e) has been included in the draft 2014-2015 budget.
3. That Council further advise the Minister for Planning that in respect to the nominated 'urban renewal' areas of Cremorne and the Gipps Street precinct contained in the draft Plan Melbourne strategic document that:
- (a) Council is prepared to work in a joint manner with the Metropolitan Planning Authority to analyse the Gipps Street precinct with a view of what opportunities could arise in that location for consolidating the employment base as part of the urban renewal process; and
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context Council is also prepared to work with the Metropolitan Planning Authority to accelerate progress on the key strategic redevelopment sites for an expeditious process to see these redevelopment opportunities come to fruition as soon as possible.

4. That Council further resolve to work with the Epworth hospital for a rezoning of the main hospital site between Bridge Road and Erin Street to a Special Use Zone with appropriate provisions to formalise its use as a major hospital site in Metropolitan Melbourne and to receive a further report on the appropriate provisions with a view towards a Section 20 (4) amendment to the Yarra Planning Scheme.

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Stone

Seconded: Councillor Colanzi

That the meeting be extended to 11.30 pm.

CARRIED

Councillor Coleman abstained

AMENDMENT

Councillors Jolly and Coleman sought to include the following clause 5 into the motion

Moved: Councillor Jolly

Seconded: Councillor Coleman

5. That Council, reflecting on the considerably higher level of development that has already taken place in Richmond relative to both Yarra and nearby Councils, and in an endeavour to provide a fairer distribution of General Residential Zone across Yarra, and to maintain a theme of:

- (a) liveability in Richmond;
- (b) a more equitable application of the new residential zones across the municipality; and
- (c) limiting the number of dwellings that may be built on plots between 0-150m²; and
determine to include the General Residential Zone areas in Richmond (generally bounded by Church Street, Bridge Road, Swan Street and the Yarra River, excluding the potential RGZ areas along Burnley Street), in a Neighbourhood Residential Zone (new schedule 4) area with a maximum mandatory height limit of 8m and an amended sliding density scale commencing with 1 dwelling on a site of up to 150sqm and scaling up in 150sqm increments (up to sites of 2500sqm) in accordance with the following table:

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<u>four</u>	<u>451 – 600m²</u>
<u>Plus one additional dwelling</u>	<u>For each additional 150m² up to a maximum of 2,500m²</u>

Councillor Barbour as the mover to the motion did not accept the amendment.

AMENDMENT

Moved: Councillor Jolly

Seconded: Councillor Coleman

1. That Council resolve to endorse the introduction of the Victorian Government's new residential zones as exhibited but subject to the following changes:
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 - (x) 285 Lennox Street, Richmond;
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 - (c) inclusion of the sites identified in the Council report that are over 2,500sqm in area in the GRZ (revised schedule 2 – 9m mandatory maximum height);
 - (d) amend the sliding density scale in the NRZ 1 to include sites up to 2,500sqm in area as per the Council report;
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 - (b) request that the Minister for Planning prepare and approve an amendment to the Yarra Planning Scheme (Amendment C176) to introduce the new planning provisions as per the Council report, pursuant to Section 20 (4) of the *Planning and Environment Act 1987*;

- (c) provide the CEO with authorisation to make changes to the planning provisions attached to this report and proposed as a part of Amendment C176 where necessary in order to facilitate the introduction of the new residential zones into the Yarra Planning Scheme;
 - (d) commence a heritage gap study in July 2014 to identify places of heritage significance within the area generally bounded by Bridge Road, Swan Street, Church Street and the Yarra River;
 - (e) commence a review of existing heritage precincts (including a review of existing citations and boundaries) beginning with heritage precincts in Abbotsford and Collingwood; and
 - (f) write to all submitters and owners and occupiers of sites in the proposed RGZ and 2500sqm sites advising them of Council's decision.
 - (g) to reaffirm the allocation of \$75,000 to carry out 2 (d) and (e) has been included in the draft 2014-2015 budget.
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5. That Council, reflecting on the considerably higher level of development that has already taken place in Richmond relative to both Yarra and nearby Councils, and in an endeavour to provide a fairer distribution of General Residential Zone across Yarra, and to maintain a theme of:
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 - (c) limiting the number of dwellings that may be built on plots between 0-150m²; and
- determine to include the General Residential Zone areas in Richmond (generally bounded by Church Street, Bridge Road, Swan Street and the Yarra River, excluding the potential RGZ areas along Burnley Street), in a Neighbourhood Residential Zone (new schedule 4) area with a maximum mandatory height limit of 8m and an amended sliding density scale commencing with 1 dwelling on a site of up to 150sqm and scaling up in 150sqm increments (up to sites of 2500sqm) in accordance with the following table:

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<u>four</u>	<u>451 – 600m²</u>
<u>Plus one additional dwelling</u>	<u>For each additional 150m² up to a maximum of 2,500m²</u>

The amendment was put to the vote and lost.

Call for a division

For: Councillors Coleman, Huggins and Jolly

Against: Councillors Barbour, Colanzi, Fristacky, Gaylard and Stone

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Gaylard

Seconded: Councillor Barbour

That the meeting be extended to 11.45 pm

CARRIED

Councillors Jolly and Coleman abstained

The Mayor then put the motion which was carried.

COUNCIL RESOLUTION

Moved: Councillor Barbour

Seconded: Councillor Colanzi

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 - (i) amend the zones to rectify the minor mapping anomalies that have been identified during consultation on the zones;
 - (j) endorse application of the General Residential Zone (revised schedule 3 – discretionary 9m height) for the proposed Residential Growth Zone areas in the interim and pending consideration of the RGZ by the RZSAC; and
 - (k) amend the zones to rectify any inconsistencies with Council’s adopted Swan Street Structure Plan by:
 - (i) changing the area along Punt Road between Blanche Street and Swan Street from RGZ to a new schedule GRZ with a 11.5m mandatory maximum height limit; and
 - (ii) changing the properties generally on the south-west corner of Kelso Street and Cremorne Street (104 - 112 Cremorne Street and 22 - 32 Kelso Street) from NRZ1 to GRZ (revised schedule 3-discretionary 9m height).
2. That Council, in addition:
- (a) refer application of the proposed Residential Growth Zone (RGZ) for the sites identified in the Council report, to the Residential Zones Standing Advisory Committee (RZSAC) for consideration to enable consultation with landowners, occupiers and neighbours of these sites;
 - (b) request that the Minister for Planning prepare and approve an amendment to the Yarra Planning Scheme (Amendment C176) to introduce the new planning provisions as per the Council report, pursuant to Section 20 (4) of the *Planning and Environment Act 1987*;
 - (c) provide the CEO with authorisation to make changes to the planning provisions attached to this report and proposed as a part of Amendment C176 where necessary in order to facilitate the introduction of the new residential zones into the Yarra Planning Scheme;
 - (d) commence a heritage gap study in July 2014 to identify places of heritage significance within the area generally bounded by Bridge Road, Swan Street, Church Street and the Yarra River;
 - (e) commence a review of existing heritage precincts (including a review of existing citations and boundaries) beginning with heritage precincts in Abbotsford and Collingwood;
 - (f) write to all submitters and owners and occupiers of sites in the proposed RGZ and 2500sqm sites advising them of Council’s decision; and
 - (g) to reaffirm the allocation of \$75,000 to carry out 2 (d) and (e) has been included in the draft 2014-2015 budget.
3. That Council further advise the Minister for Planning that in respect to the nominated ‘urban

renewal' areas of Cremorne and the Gipps Street precinct contained in the draft Plan Melbourne strategic document that:

- (a) Council is prepared to work in a joint manner with the Metropolitan Planning Authority to analyse the Gipps Street precinct with a view of what opportunities could arise in that location for consolidating the employment base as part of the urban renewal process; and
 - (b) Council adopted in December 2013 the Swan Street Structure Plan which embraces not only Cremorne area but all of the area along Swan Street to the river and also the hinterland on the north side of Swan Street, and in this regard, note that it provides for substantial increase in both housing stock and also commercial floorspace. In this context Council is also prepared to work with the Metropolitan Planning Authority to accelerate progress on the key strategic redevelopment sites for an expeditious process to see these redevelopment opportunities come to fruition as soon as possible.
4. That Council further resolve to work with the Epworth hospital for a rezoning of the main hospital site between Bridge Road and Erin Street to a Special Use Zone with appropriate provisions to formalise its use as a major hospital site in Metropolitan Melbourne and to receive a further report on the appropriate provisions with a view towards a Section 20 (4) amendment to the Yarra Planning Scheme.

CARRIED

Call for a division

For: Councillors Barbour, Colanzi, Fristacky, Gaylard and Stone

Against: Nil

Abstained: Councillors Coleman, Huggins and Jolly

Councillor Vlahogiannis returned to the meeting at 11.48 pm

Councillor Coleman left the meeting at 11.48 pm

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Stone

Seconded: Councillor Colanzi

That the meeting be extended to 11.50 pm

CARRIED

11.2 Victoria Gardens Richmond - Construction of New Tram Terminus

Trim Record Number: D14/64503

Responsible Officer: Director City Development

RECOMMENDATION

1. That Council:
 - (a) notes the proposal and the benefit of having a new tram terminus for a new tram Route 12 at Victoria Street east;
 - (b) approves in principle the design to construct a new tram terminus along Victoria Street in the vicinity of Victoria Gardens in May 2014;
 - (c) approves the loss of four 2P parking spaces in the vicinity of 661 Victoria Street; and
 - (d) write to Public Transport Victoria and Yarra Trams thanking them for the initiative of improved public transport to Victoria Street East and indicate the Council support for the tram terminus, as shown in the plans submitted, and also consent to the loss of four kerbside carpark spaces.

COUNCIL RESOLUTION**Moved:** Councillor Huggins**Seconded:** Councillor Gaylard

1. That Council:
 - (a) notes the proposal and the benefit of having a new tram terminus for a new tram Route 12 at Victoria Street east;
 - (b) approves in principle the design to construct a new tram terminus along Victoria Street in the vicinity of Victoria Gardens in May 2014;
 - (c) approves the loss of four 2P parking spaces in the vicinity of 661 Victoria Street; and
 - (d) write to Public Transport Victoria and Yarra Trams thanking them for the initiative of improved public transport to Victoria Street East and indicate the Council support for the tram terminus, as shown in the plans submitted, and also consent to the loss of four kerbside carpark spaces.

CARRIED

12.1 Notice of Motion No 4 of 2014 - Council to Sign Public Transport User Association Open Letter

Trim Record Number: D14/72588

Responsible Officer: Executive Manager Governance

I, Councillor Stephen Jolly, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 29 April 2014:

“That:

1. *Council request the Mayor to sign the Public Transport Users’ Association (PTUA) Open Letter to The Premier of Victoria, seeking that priority be given to investment in:
 - (a) public transport;
 - (b) cycling and walking infrastructure;
 - (c) level crossing removal; and
 - (d) improved and adequate maintenance of existing roads;ahead of investment in the East--West toll road;*
2. *Council contribute \$_____ towards the cost of publication of the Public Transport Users’ Association Open Letter to The Premier in the Herald Sun newspaper; and*
3. *Council advise State and Federal Members of Parliament and Dr Tony Morton, President of the PTUA of the above decisions.”*

Councillor Jolly deferred the Notice of Motion to the next Council Meeting.

13.1 Repeal of Sections 18B, C, D and E of the Racial Discrimination Act 1975

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Colanzi

That Yarra City Council;

- (a) note the proposed amendment of the *Racial Discrimination Act* 1975 by the Federal Government, by repeal of the present Sections 18B, 18C, 18D, and 18E;
- (b) note the proposed amended wording in the Draft Racial Discrimination Bill (the Bill);
- (c) present an urgent submission to the Attorney General opposing the proposed amendments including on the grounds that:
 - (i) the proposed changes to the Bill provide little or no protection to individuals targeted by racist acts and demonstrate little understanding of the impact that non-violent racism has on individuals and groups and the broader community;
 - (ii) the definition of “intimidation” contained in the Bill, as causing fear of physical harm, ignores the harm that non-physical or violent forms of racism cause;
 - (iii) racial hatred and vilification causes psychological and emotional harm to those who are targeted and this sort of behaviour damages social harmony and cohesion; and
 - (iv) there is considerable research which points to the insidious nature of non-physical forms of racism and their profound impact on community attitudes; and
- (d) forward copies of its submission to the Prime Minister, the Shadow Attorney General, the Leader of the Federal Opposition, the Leader of the Australian Greens and to the Local Members each of the House of Representatives the Senate.

CARRIED

13.2 Draft Yarra Waste Strategy 2014 - 2018

Trim Record Number: D14/73967

Responsible Officer: Director City Development

RECOMMENDATION

1. That Council:
 - (a) notes the report and the attached draft Yarra Waste Strategy 2014 – 2018;
 - (b) resolves to place the draft Yarra Waste Strategy 2014 - 2018 (with any amendments identified by Councillors) on public exhibition from 30 April to 28 May 2014; and
 - (c) receives a further report in June 2014 following the submission period.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Colanzi

1. That Council:
 - (a) notes the report and the attached draft Yarra Waste Strategy 2014 – 2018;
 - (b) resolves to place the draft Yarra Waste Strategy 2014 - 2018 (with any amendments identified by Councillors) on public exhibition from 30 April to 28 May 2014; and
 - (c) receives a further report in June 2014 following the submission period.

CARRIED

Conclusion

The meeting concluded at 11.50pm.

Confirmed Tuesday 6 May 2014

Mayor